

AMENDMENTS TO THE DRAWINGS:

Attached hereto is replacement drawings for Figs. 2, 5, and 8.

Each of the Replacement Sheets attached hereto is marked with "Replacement Sheet" in the top margin. The replacement drawing for Fig. 2 omits the double inclusion of the reference number 6. The only changes in Figs. 5 and 8 involve changing the reference letter A to C.

Also provided is Annotated Sheets for Figs. 2, 5, and 7. In the Annotated Sheet for Fig. 2, the previously omitted numerals 9, 8, 9b, 9a, 2b and 9c with lead lines are now shown in red. The annotated sheets for Figs. 5 and 8 indicate the changing of "A" to "C" in red. The term "Annotated Sheet" appears in the upper margin of the annotated sheets for Figs. 2, 5 and 8.

Attachments:

Replacement sheets Figs. 2, 5 and 8

Annotated Sheets Figs. 2, 5 and 8 showing changes in red

REMARKS

The Examiner is thanked for a very thorough and detailed Office Action. Pursuant to that Office Action, Claims 6-8 and 12-15 have been amended to more definitely set forth the invention. Support for the amendment of Claim 6 can be found in original Claim 1 and in the Specification on page 14, lines 10-15. Support for amendment of Claim 7 can be found in the Specification on page 19, lines 17-24. Claim 8 has been amended as per the Examiner's suggestions. Support for the amendment of Claim 12 can be found in the Specification on page 38, line 20 to page 39, line 5. Support for the amendment of Claim 13 can be found in the Specification on page 41, lines 3-16. Support for the amendment of Claim 14 can be found in the Specification on pages 16, lines 5-25, to page 17, lines 1-12. Support for new claims 18 and 19 can be found in the Specification on page 13, lines 3-5.

In the Specification, the second paragraph on page 19, second paragraph on page 22, last paragraph bridging pages 24 and 25, third paragraph on page 27, last paragraph bridging pages 28 and 29, second paragraph on page 29, last paragraph bridging pages 30 and 31, first paragraph on page 31, and second paragraph on page 33 have been amended to correct minor editorial problems, especially to conform the drawing reference numerals to the Specification.

With regards to the drawings, Figs. 2, 5 and 8 have been amended. Fig. 2 now shows previously omitted reference numerals with lead lines, and Figs. 5 and 8 change the reference letter A to C. The replacement drawings and annotated marked-up drawings for Figures 2, 5 and 8 are attached. The present amendment is deemed to not introduce new matter. Claims 1-19 are

in the application, claims 1-5, 9, 10, and 16 being withdrawn as directed to a non-elected invention.

Reconsideration is respectfully requested of the objection to the drawings. Respecting paragraphs 1 and 2 of the drawing objections, a replacement Fig. 2 is attached hereto which corrects the items referred to by the Examiner. This replacement Fig. 2 is believed to not introduce new matter inasmuch as the apparatus was described in the original Specification.

Respecting paragraph 3 of the drawing objections, the Specification has been amended to incorporate the reference numerals referred to by the Examiner. It is apparent that the omission of the reference numbers in the Specification was, for the most part, due to obvious typographical and clerical error. It is respectfully submitted that one of ordinary skill in the art would understand from the drawings and Specification the items called for in the omitted reference numbers. Consequently, the amendment of the Specification is believed to not introduce new matter.

Respecting paragraph 4 of the drawing objections, the Specification, page 24, has been amended to make it clear that the reference character C designated "a first internal space" in Figs. 5 and 8, and amended Figs. 5 and 8 are attached with this change. This is believed to clarify this matter.

Respecting paragraph 5 of the drawing objections, page 27 of the Specification has been amended to make it clear that 63a refers to a male screw and 63 refers to a cylindrical member. This problem is due to an obvious typographical error and the objection is now believed to be moot. The Examiner is thanked for pointing out the obvious typographical and clerical errors.

Reconsideration is respectfully requested of the objection to the Specification on page 4 of the office action. The Specification page 19, line 8, has been amended to indicate that “the opening” is reference number 2a as shown in the drawings. It is believed that this objection is now moot.

Reconsideration is respectfully requested of the objection to Claim 8. This claim has been amended as per the Examiner’s suggestion. The Examiner is thanked for the helpful suggestions.

Reconsideration is respectfully requested of the rejection of claims 7 and 12-15 under 35 U.S.C. 112, second paragraph, as being indefinite. With respect to Claim 7, the term “precedent stage” has been changed to “upstream”, which is believed to be understandable to one of ordinary skill in the art. It is therefore believed that the rejection is moot.

Respecting Claims 12-15, these claims have been rewritten to more definitely set forth the invention and obviate the rejection. It is therefore believed that the rejection is moot.

Respecting Claim 14, an antecedent basis has been provided for the objectionable terms. It is therefore believed that the rejection is now moot. In view of the extensive amendment of the claims, it is believed that the Examiner would be justified in no longer maintaining this rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claims 6-8, 14 and 15 under 35 U.S.C. 102(b) as being anticipated by Kitajima, et al.

Kitajima, et al. discloses in Fig. 1 a conventional device used to prepare a plasma or serum sample from whole blood. The apparatus employed incorporates multiple filter elements

and materials which are described in Kitajima, et al. beginning at column 5, line 45, and extending through column 8.

To more clearly patentably distinguish from Kitajima, et al., Claim 6, the only independent claim now in the case, has been amended to require that the first filter member can pass plasma faster than corpuscles and the first filter member has an upstream and downstream part and a packing density of a downstream part higher than a packing density of an upstream part in the filter member. Additionally, Claim 6 has been amended to require that the plasma or serum separating membrane has a porosity of not more than 30% and is serially connected in a subsequent stage with the first filter member.

It is respectfully urged that there is no disclosure whatever in Kitajima, et al. of these combination of features as now called for in Claim 6 herein. On the contrary, these features which constitute important elements or aspects of the present invention are found only in the present application.

For these reasons, it is respectfully submitted that Kitajima, et al. fails to either anticipate or render unpatentably obvious the subject matter now called for in the claims herein. Consequently, the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claims 6 and 8 under 35 U.S.C. 102(b) as being anticipated by Yazawa, et al.

Although Yazawa, et al. discloses a blood filtering apparatus, there is no disclosure whatever in Yazawa, et al. of a filter apparatus comprising a first filter member to which plasma

can move faster than corpuscles with the first filter member having an upstream and downstream part and a packing density of a downstream part higher than a packing density of an upstream part; in combination with a plasma or serum separating member for separating plasma or serum from blood and in which the membrane has a porosity of not more than 30% and is serially connected in a subsequent stage with the first filter member. On the contrary, these features are found only in the present application and constitute important elements or aspects of the present invention. Therefore, it is respectfully submitted that Yazawa, et al. fails to anticipate or render unpatentably obvious the subject matter now called for in Claims 6 and 8. Consequently, the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claims 6 and 17 under 35 U.S.C. 102(b) as being anticipated by Allen, et al.

Allen, et al. like Katijima, et al. and Yazawa, et al. discussed above fails to disclose a blood filtering apparatus wherein a first filter member having an upstream and downstream part has a packing density of a downstream part higher than a packing density of an upstream part. It is therefore respectfully urged that the claims as amended patentably distinguish from Allen, et al., and that Allen, et al. fails to anticipate or render unpatentably obvious the subject matter now called for in the claims. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claim 11 under 35 U.S.C. 103(a) as being unpatentable over Kitajima, et al. in view of Ayres.

The deficiencies of the Kitajima, et al. reference are discussed above. Also, the Examiner

recognizes that Kitajima, et al. fails to teach that the first filter member has a property of adsorbing fibrinogen contained in blood, plasma, or a fibrinogen solution.

It is respectfully submitted that there is no teaching, suggestion, or motivation in either of the Examiner's references that they can be combined in the manner suggested in the rejection. Moreover, even if the references are combined, they still do not anticipate or render unpatentably obvious the subject matter now called for in the claims herein. Consequently, the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claim 12 under 35 U.S.C. 103(a) as being unpatentable over Kitajima, et al. in view of Bell.

The deficiencies of the Kitajima, et al. reference are discussed above. In addition, the Examiner has recognized that Kitajima, et al. fails to teach that an anticoagulant compound is stored in at least a part of the internal space of the filter apparatus.

It is respectfully submitted that neither Kitajima, et al. nor Bell discloses using a first filter member having an upstream and downstream part and a packing density of the downstream part higher than a packing density of an upstream part in combination with a plasma or serum separating membrane. On the contrary, that teaching or suggestion comes only from the present application.

Moreover, there is no teaching, or suggestion, or motivation in either of the references that they can be combined in the manner suggested by the Examiner. It is therefore respectfully urged that the Examiner's combination of references neither anticipates nor renders unpatentably

obvious the subject matter now called for in the claims herein. For these reasons, withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claim 13 under 35 U.S.C. 103(a) as being unpatentable over Kitajima, et al. in view of Anraku.

The deficiencies of Kitajima, et al. are discussed above. It is noted that the Examiner recognizes that Kitajima, et al. fail to teach that an accelerator for accelerating coagulation of blood is stored in at least a part of the internal space.

Neither Kitajima, et al. nor Anraku disclose using a first filter member having an upstream and downstream part and a packing density of a downstream part higher than a packing density of an upstream part as now called for in the claims herein. Therefore, it is believed the claims as amended clearly patentably distinguish from the Examiner's combination of references. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of claim 17 under 35 U.S.C. 103(a) as being unpatentable over Kitajima, et al. in view of Chu.

The deficiencies of Kitajima, et al. are discussed above. Also, the Examiner recognizes that Kitajima, et al. fails to teach that the filter unit contains a strip of immunochromatographical diagnostic agent. In any event, neither Kitajima, et al. nor Chu disclose using a first filter member having an upstream and downstream part and a packing density of a downstream part higher than a packing density of an upstream part. That feature which is now present in all of the claims herein is nowhere disclosed in either of the Examiner's combination of references. Consequently, it is respectfully submitted that these references neither anticipate nor render

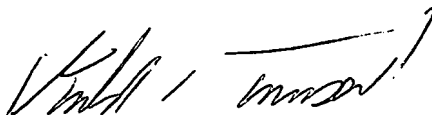
unpatentably obvious the subject matter now called for in the amended claims herein.

Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted,

TOWNSEND & BANTA

A handwritten signature in black ink, appearing to read 'Donald E. Townsend', with a stylized flourish at the end.

Donald E. Townsend

Reg. No. 22,069

Date: August 7, 2007

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CERTIFICATE OF MAILING

I hereby certify that this 19-page Amendment in Docket No. M&M-079-USA-PCT, Serial No. 10/533,539, filed May 2, 2005, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on August 7, 2007.

Donald E. Townsend, Jr.